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Report of the United Nations Commission on International Trade Law on the work of its thirty-fourth session

Draft resolution

Enlargement of the membership of the United Nations Commission on International Trade Law

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it established the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Recalling also its resolution 3108 (XXVIII) of 12 December 1973, by which it increased the membership of the Commission from twenty-nine to thirty-six States,

Taking note of the recommendation of the Commission that its membership should be increased maintaining the current proportion between the regional groups,[1]

Convinced that wider participation of States in the work of the United Nations Commission on International Trade Law would further the progress of the work of the Commission,

Having considered comments by States, as well as a report by the Secretary-General,[2] on the implications of increasing the membership of the Commission, submitted pursuant to paragraph 13 of General Assembly resolution 55/151 of 12 December 2000,[3]

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[1] See *Official Records of the Fifty-sixth Session, Supplement No. 17* (A/56/17), para. 375.
[2] A/56/315.
[3] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 17* (A/56/17), para. 370.

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Being satisfied with the practice of the Commission to invite States not members of the Commission and relevant intergovernmental and international non-governmental organizations to participate as observers in sessions of the Commission and its working groups and to take part in the formulation of texts by the Commission, as well as with the practice of reaching decisions by consensus without a formal vote,

Considering that the increase in the membership of the Commission may stimulate interest in the work of the Commission and better justify the dedication of human and other resources to preparation for and attendance at its meetings,

Observing that the considerable number of States that have participated as observers and made valuable contributions to the work of the Commission indicates that there exists an interest in active participation in the Commission beyond the current thirty-six Member States,

Reaffirming the importance of the Trust Fund established to provide travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General,

1. *Notes* that the impact of an increase of the membership of the United Nations Commission on International Trade Law on the Secretariat services required to properly facilitate the work of the Commission would not be material enough to quantify, and that therefore the increase would have no financial implications;

2. *Decides* to increase the membership of the United Nations Commission on International Trade Law from thirty-six to sixty States;

3. *Decides also* that the twenty-four additional members of the Commission shall be elected by the General Assembly during its fifty-seventh session in accordance with the following rules:

(a) The General Assembly shall observe the following distribution of seats:

(i) Six from African States;

(ii) Five from Asian States;

(iii) Three from Eastern European States;

(iv) Four from Latin American and Caribbean States;

(v) Six from Western European and other States;

(b) Of the twenty-four additional members, the terms of eleven members shall expire on the last day prior to the opening of the thirty-seventh session of the Commission, in 2004, while the term of thirteen members shall expire on the last day prior to the opening of the fortieth session of the Commission, in 2007; the President of the General Assembly shall, by drawing lots, select these members as follows:

(i) For a term up to the last day prior to the thirty-seventh session of the Commission, in 2004:

a. Three from those elected from African States and three from those elected from Western European and other States;

b. Two from those elected from Asian States and two from those elected from Latin American and Caribbean States;

c. One from those elected from Eastern European States;

(ii) For a term up to the last day prior to the fortieth session of the Commission, in 2007:

a. Three from those elected from African States, three from those elected from Asian States and three from those elected from Western European and other States;

b. Two from those elected from Eastern European States and two from those elected from Latin American and Caribbean States;

(c) The twenty-four additional members shall take office on 1 January 2003;

(d) The provisions of section II, paragraphs 4 and 5, of General Assembly resolution 2205 (XXI) shall also apply to the additional members;

4. *Appeals* to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to make voluntary contributions to the Trust Fund established to provide travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General;

5. *Requests* the Commission at its fortieth session to evaluate the effects of the present enlargement and to examine and report to the General Assembly on the implications of enlarging the membership of the Commission to 72 States.